

AMENDED IN SENATE MAY 2, 2006
AMENDED IN SENATE APRIL 4, 2006

SENATE BILL

No. 1764

Introduced by Senator Runner

February 24, 2006

An act to amend Sections 48000 and 48010 of, and to add Section 48012 to, the Education Code, relating to pupil admission.

LEGISLATIVE COUNSEL'S DIGEST

SB 1764, as amended, Runner. Kindergarten: *first grade*: age of admission.

Existing law requires a child to be admitted to kindergarten at the beginning of a school year, or at any time later in the same year, if the child will have his or her 5th birthday on or before December 2 of that school year. Existing law requires a child to be admitted to the 1st grade of an elementary school during the first month of a school year if the child will have his or her 6th birthday on or before December 2 of that school year.

This bill would instead require that a child be admitted to kindergarten at the beginning of a school year, or at any time later in the same year, if the child will have his or her 5th birthday on or before ~~September 1 of that school year~~ *December 2 of the school year for the 2008–09 school year and each previous school year, on or before November 1 for the 2009–10 school year, on or before October 1 for the 2010–11 school year, and on or before September 1 for the 2011–12 school year and each school year thereafter*. The bill would also require that a child be admitted to 1st grade of an elementary school during the first month of a school year if the child will have his

or her 6th birthday on or before ~~September 1 of that school year~~ *those dates*.

This bill would provide that any savings realized as a result of this change in age for admission to kindergarten and 1st grade be appropriated, *as provided*, to increase access to preschool programs for ~~at-risk~~ 4-year-old children, *with priority given to at-risk children, and to compensate school districts for the loss in average daily attendance resulting from the change in kindergarten admission*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited, as
2 the School Readiness Act of 2007.
- 3 SEC. 2. (a) The Legislature hereby finds and declares all of
4 the following:
- 5 (a)
- 6 (1) By delaying the age at which children are permitted to
7 enroll in kindergarten, California's children will be better
8 prepared to enter into the academic environment that is required
9 by the kindergarten curriculum.
- 10 (b)
- 11 (2) Studies have shown that at-risk children benefit the most
12 from preschool programs.
- 13 (c)
- 14 (3) The change described in ~~subdivision (a)~~ *paragraph (1)* will
15 result in a decrease in the number of pupils enrolled in
16 kindergarten *over a three-year period* and that decreased
17 enrollment will affect the class size in each subsequent grade
18 level through and including the ~~2018–19~~ 2023–24 school year. It
19 is estimated that there will be a 25-percent decrease in the
20 enrollment of kindergarten classes *over this three-year period*
21 that will affect the subsequent grade levels over the ~~13-year~~
22 *15-year* period.
- 23 (d)
- 24 (4) The decrease in enrollment described in ~~subdivision (c)~~
25 *paragraph (3)* will necessarily decrease the number of units of
26 average daily attendance that a school district may claim for the
27 purpose of computing the amount of state revenue limit aid a

1 school district may receive, thereby allowing the state to realize
2 significant cost savings.

3 *(b) It is further the intent of the Legislature that these cost*
4 *savings be appropriated partially to compensate school districts*
5 *for loss in average daily attendance resulting from changing the*
6 *age at which children are required to be admitted to*
7 *kindergarten and partially to provide preschool for children that*
8 *are four years old and who do not meet the minimum age*
9 *requirement for kindergarten admission, with priority given to*
10 *at-risk children.*

11 SEC. 3. Section 48000 of the Education Code is amended to
12 read:

13 48000. (a) (1) ~~A~~*Through the 2008–09 school year, a child*
14 *shall be admitted to a kindergarten at the beginning of a school*
15 *year, or at any later time in the same year, if the child will have*
16 *his or her fifth birthday on or before September 1* ~~December 2~~ *of*
17 *that school year.*

18 (2) *A child who will have his or her fifth birthday on or before*
19 ~~September 1~~ *December 2 may be admitted to the prekindergarten*
20 *summer program maintained by the school district for pupils who*
21 *will be enrolling in kindergarten in September.*

22 *(b) For the 2009–10 school year, a child shall be admitted to*
23 *a kindergarten at the beginning of a school year, or at any later*
24 *time in the same year, if the child will have his or her fifth*
25 *birthday on or before November 1 of that school year.*

26 *(c) For the 2010–11 school year, a child shall be admitted to a*
27 *kindergarten at the beginning of a school year, or at any later*
28 *time in the same year, if the child will have his or her fifth*
29 *birthday on or before October 1 of that school year.*

30 *(d) For the 2011–12 school year, and each school year*
31 *thereafter, a child shall be admitted to a kindergarten at the*
32 *beginning of a school year, or at any later time in the same year,*
33 *if the child will have his or her fifth birthday on or before*
34 *September 1 of that school year.*

35 ~~(b)~~

36 *(e) The governing board of any school district maintaining one*
37 *or more kindergartens may, on a case-by-case basis, admit to a*
38 *kindergarten a child having attained the age of five years at any*
39 *time during the school year with the approval of the parent or*
40 *legal guardian, subject to the following conditions:*

1 (1) The governing board determines that the admittance is in
2 the best interests of the child.

3 (2) The parent or *legal* guardian is given information
4 regarding the advantages and disadvantages and any other
5 explanatory information about the effect of this early admittance.

6 SEC. 4. Section 48010 of the Education Code is amended to
7 read:

8 48010. ~~A(a) Through the 2008–09 school year, a child shall~~
9 ~~be admitted to the first grade of an elementary school during the~~
10 ~~first month of a school year if the child will have his or her sixth~~
11 ~~birthday on or before September 1 December 2 of that school~~
12 ~~year. For good cause, the governing board of a school district~~
13 ~~may permit a child of proper age to be admitted to a class after~~
14 ~~the first school month of the school term.~~

15 (b) *For the 2009–10 school year, a child shall be admitted to*
16 *the first grade of an elementary school during the first month of*
17 *a school year if the child will have his or her sixth birthday on or*
18 *before November 1 of that school year.*

19 (c) *For the 2010–11 school year, a child shall be admitted to*
20 *the first grade of an elementary school during the first month of*
21 *a school year if the child will have his or her sixth birthday on or*
22 *before October 1 of that school year.*

23 (d) *For the 2011–12 school year, and each school year*
24 *thereafter, a child shall be admitted to the first grade of an*
25 *elementary school during the first month of a school year if the*
26 *child will have his or her sixth birthday on or before September 1*
27 *of that school year.*

28 (e) *For good cause, the governing board of a school district*
29 *may permit a child of proper age to be admitted to a class after*
30 *the first school month of the school term.*

31 (f) *Notwithstanding subdivisions (a) to (c), inclusive, a child*
32 *shall not be prevented from enrolling in the first grade of an*
33 *elementary school during the first month of a school year up to*
34 *and including the 2011–12 school year based solely on his or her*
35 *birthday if he or she has completed a school year of*
36 *kindergarten.*

37 SEC. 5. Section 48012 is added to the Education Code, to
38 read:

39 48012. Any savings realized by the state as a result of the
40 change in age for admission to kindergarten pursuant to

1 ~~subdivision (a) of Section 48000, as amended, and to first grade~~
2 ~~pursuant to Section 48010, as amended by Senate Bill 1764 of~~
3 ~~the 2005–06 Regular Session, shall be appropriated to increase~~
4 ~~access to preschool programs for at-risk children that are four~~
5 ~~years old and who do not meet the minimum age requirement for~~
6 ~~kindergarten admission. as follows:~~

7 *(a) Fifty percent of the savings shall be appropriated to*
8 *increase access to preschool programs for children that are four*
9 *years old and who do not meet the minimum age requirement for*
10 *kindergarten admission, with priority given to at-risk children.*

11 *(b) Fifty percent of the savings shall be appropriated to*
12 *compensate school districts for the loss in average daily*
13 *attendance resulting from changing the age at which children are*
14 *required to be admitted to kindergarten pursuant to Section*
15 *48000, as amended, by increasing the number of units of average*
16 *daily attendance computed for a school district for the purpose of*
17 *computing the revenue limit of the school district pursuant to*
18 *Section 42238 for each of the 2009–10 to 2023–24 fiscal years,*
19 *inclusive.*